

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2020-275-S**

IN RE:)
Application of Condor Environmental,)
Inc., Requesting an Expansion of its)
Existing Sewer Service Area to Include)
Certain Portions of Anderson County)
and Approval of Agreement)

ReWa's Petition to Intervene

Pursuant to S.C. Code Ann. Reg. 103-504 and 103-825, Renewable Water Resources (ReWa) hereby petitions to intervene in the above captioned matter related to Condor Environmental, Inc.'s (Condor) sewer service in Anderson County. In support of its Petition, ReWa respectfully submits as follows:

1. ReWa is a multi-county special purpose district organized and existing pursuant to the laws of the state of South Carolina since 1926. ReWa owns and operates a trunk and treatment sewer system in Greenville, Spartanburg, Laurens, Anderson and Pickens Counties. As such, ReWa is not subject to rate regulation by the Public Service Commission. In addition to the trunk and treatment services described above, ReWa also provides sewer collection service in parts of Greenville County and within all of its service area in Anderson County.

2. By Order No. 2020-792, the Public Service Commission of South Carolina ("Commission") asked the South Carolina Office of Regulatory Staff ("ORS") to review Condor's service to several neighborhoods in Anderson County, including service to the Carriage Hill neighborhood (referenced in Condor's Application #4). All of the Condor neighborhoods at issue in Anderson County are within ReWa's service area.

3. ReWa is a publicly-owned sewer provider that is willing to assume ownership of the collection infrastructure that the Carriage Hill developer is requesting to dedicate to Condor. ReWa is willing to either operate that system itself or to operate it under contract with Condor. In either instance, the sewer flow will, for an interim basis, be carried to Easley Combined Utilities' ("ECU") Middle Branch facility for treatment.

4. ReWa does not object to the rates requested by Condor, nor to the conditions for approval proposed by the ORS. However, ReWa respectfully submits that public ownership of the infrastructure is both preferable and less expensive in the long term.

5. ReWa has designed many millions of dollars' worth of trunk system extensions into the areas of Anderson County which are subject to ORS review. Within several years these systems will be constructed and will divert sewer flow now being pumped to ECU's treatment facility to ReWa's George's Creek wastewater treatment facility. This diversion of flow will be encompassed within an inter-governmental agreement between ECU and ReWa. When ReWa trunk lines reach each subject neighborhood, the pump station services provided by Condor will no longer be necessary.

6. Upon information and belief, the combined transport and treatment charges from ReWa are less expensive than the combined sewer service charges by Condor and ECU.

7. Public ownership of the infrastructure by ReWa will also avoid the adverse federal tax treatment referenced by ORS in its recommendation number 10. The extra tax burden would otherwise ultimately be borne by the sewer customers through the purchase price of their homes and their sewer service rates.

8. ReWa wishes to participate in the ORS review to facilitate an orderly transition of sewer service from private to public as its sewer trunk system is extended into Anderson County.

ReWa believes this transition can be provided for in the contracts between Condor, developers in Anderson County, and the various neighborhood HOAs served by Condor.

9. Based on foregoing, ReWa is an interested utility with respect to Condor's Application and the ORS' review of Condor's service elsewhere in Anderson County.

WHEREFORE, for the foregoing reasons, ReWa respectfully requests permission to intervene in this matter and to formally provide ORS with additional information regarding its willingness to serve in Anderson County.

NELSON MULLINS RILEY &
SCARBOROUGH

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ATTORNEYS FOR REWA

Greenville, South Carolina
April 13, 2021

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Certificate of Service

I, Rivers S. Stilwell, hereby certify that I have on this 13th day of April, 2021, served the Petition to Intervene and Object to Expansion of Sewer Service Area into Anderson County upon the parties listed below by e-mail to the following persons and addresses.

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